

REMARKS

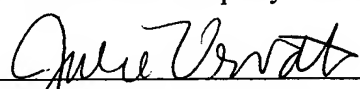
In response to the Restriction Requirement mailed July 3, 2006, Applicants hereby elect, with traverse, Group I, claims 10-25, 31 and 34 directed to polypeptides and compositions and vaccines comprising said polypeptides, for examination at this time. Applicants further elect the species SEQ ID NO:455 for examination at this time. Concerning the traversal, Applicants respectfully note that the Action appears to have inadvertently included claim 34 with Group II claims directed to polynucleotides. Claim 34 is directed to an isolated polypeptide comprising an amino acid sequence of any one of SEQ ID NOs:454-455. As such, this claim should properly be included in Group I.

By way of this preliminary amendment, Applicants have canceled claims 1-33. Claim 34 has been amended solely to remove recitation of non-elected subject matter and new claims 35-39 have been added. It is urged that support for all the above amendments may be found throughout the specification as originally filed. No new matter has been added. The above amendments are not to be construed as acquiescence with regard to the Examiner's rejections and are made without prejudice to prosecution of any subject matter removed or modified by this amendment in a related divisional, continuation or continuation-in-part application. Following the amendments, claims 34-39 are pending in the application.

Applicants respectfully submit that all of the claims remaining in the application are now believed to be in condition for allowance. Favorable consideration and a Notice of Allowance are earnestly solicited.

The Director is authorized to charge any additional fees due by way of this Amendment, or credit any overpayment, to our Deposit Account No. 19-1090.

Respectfully submitted,  
Seed Intellectual Property Law Group PLLC

  
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